G. R. S. 58]

Previous references.

1912.

(Inwards)

File No. 209-12

Serial Nos. 1-9

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-9

Part B for March 16.

SUBJECT.

Re appeal of K Guru Raja Char against Dy Comrs orders directing the resumption of the inam lands enclosed to Mukya Prana Devaru temple at Kadli

To Comptroller to Govt & Dy Comm, Shimoga. No 2261-62 dy 24.3.16.

Previous orders in the Case.

W D 1351—GPB—20,000—13 12 15

Mr Ashraf 12.1.16

G.R.S. 11] 1912

GENERAL AND REVENUE SECRETARIAT.

(Mudzrai)

NOTES.

File No 209-12

FILE HEADING.

Management of Sri Mukhya Prana Devaru Temple at Kudli in the Shimoga Taluk.

From,

Mr C. Krishna Rao, Advocate, for the applt K. Gurunaya-char

No Pethai Dated 7.9 1912 Received

Diary No. 2461	Enclos. 2	Spare Copies. —	Serial No 1

BRIEF ABSTRACT OF LETTER

Appeals against the Dy Comm's order directing the resumption of the Inam lands endowed to the said Temple

NOTES AND ORDERS

Submd with a Dft calling for reports — The applt prays that the order appealed against be stayed pending disposal of the appeal.

BC 132 2-10-12

RL 4/10/12

Affd 2.10.12

NOTES—First Sheet.

GPB—30,000—12-S 11

C. R. S. 12]

General and Revenue Secretariat.

File No. 209 of 1912

Serial No.	
2	To The D C Shimoga No 1351 D 5-4-1913 Forwards the petn for report Endt to petr (through his Advocate) No 1352 D 5-4-13
3.	From, The Dy. Commr, Shimoga Dtd No. 191/31 D 17-10-1913. Submits the report called for in Sl. 2. The Dy. Commr's. letter gives a precis of the Vernacular correspondence on the subject The temple of Sri Mukhya Prana Devaru situated within the precincts of Sri Narasimha Swamy temple at Kudli in the Shimoga Taluk is a Muzrai instn endowed with inam lands S. nos 9, 48 & 86 in the villages of Daragenahalli, Lakkenakoppa and Gajanur – In the quit-rent register, the lands are noted as Devadaya intended for worship in the temple. The aplt Gururayachar, it is reported, was in the enjoyment of S. no 9 in Daragenahalli village. It is reported that the temple buildings are in disrepair and that services are not being properly Conducted – After protracted correspondence

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

(3

G. R. S. 12]

General and Revenue Secretariat. | File No. 209 of 1912

Serial No.

Commencing from the year 1897, the matter finally came up for orders before the Dy Commr Mr K. Srinivasa Rao in June 1912, and that officer has ordered that as the income from the lands did not appear to have been utilized for the temple, they should be taken under Govt management and that arrangements should be made to lease out the inam lands on full assessment for 10 years, S. No. 9 of Jargenahalli being given to the ryot Hucha Hanuma, and that proposals for taking the insts under Govt management, and for its repairs should be submitted

9

Against this order, Suryanarayachar has appealed to Govt. His main prayer is that if Govt is to hold that the Dy. Commrs. order is correct, the inam lands may be leased out to him on full assessment He states that he is not responsible for the dis-repair in question, and that the lands taken away from him, had been in his possession for a long time.

7

Submitted

MWL(15)

7/8/1914

22

The

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat. | File No. 209 of 1912.

Serial No.

The correspondence shows that there has been a great delay in the disposal of the case. The dilapidated condition of the temple was brought to the notice of the Taluk authorities so long ago as 1897. The repairs of the temple may cost about ~~a~~ few hundred rupees as the so called temple appears to be a building of mud walls bamboo rafters and pot tiles. Since 1897 to 1912 no body seems to have inspected the spot except once by the Amildar during 1905.

The Deputy Commr has ordered the resumption of the Inam lands on the ground that they are mismanaged. But the petitioner says that he is prepared to prove that the institution is well managed. He also contends that he is not responsible to repair the temple according to the terms of the grant; and that, in case the Govt thinks otherwise, the other 2 Valuvai dars should ~~also~~ also be held responsible to some extent.

It is not clear from the records whether the petitioner was asked why he did not reside at Kudli to perform

NOTE—Contn. sheet.

GPB—60,000—7 11 13

the

Serial No.

the puja a service and whether he voluntarily refused to reside there.

It is not known what the conditions of the grant were. It is not clear from the records whether the temple has since been repaired or not, and whether any amount is at the savings of the temple.

If approved the case may be posted for hearing and notices issued to all the three Valivaldars.

25/4/14

At present by the appeal petn the appellant offers to pay the full assessment of Rs. Ask the Revs. Board's opinion as to why this offer should not be accepted instead of making terms with the tenant. Also

Rs.
opinion if there is 1 5. 14.
any likelihood of securing more rent from the land if good tenant. for a defined period of years.

Submitted with a draft for approval

BM(115) 2.5.1914

25/5/14

Approved
25/5/14

NOTE—Contn sheet.

GPB—60,000—7 11 13

(6

Revenue
Dept.

File No. 2 11 of 191 .

Serial No.	
4	To. The Dy Commr, Shimoga Dt. No. 3201 Dy 13 5 14 Enquires why the appellants' offer should not be accepted and if there is any likelihood of procuring higher grant.
5.	From, The Dy Commr, Shim. Dt. Letter no. 156/27 Dy 5-10-15 Submits further report called for in Serial 4
6.	From, The Same Officer Letter no 177/29 Dy 29 x 1915 Submits for sanction a bill for arrears of pay due to the Archaka of the Temple. The Temple of Sri Muktya Pranda Devaru at Kudli is endowed with inam lands in Gajanur, Lakkenakoppa and Jaraganahalli Villages, measuring a 41-27 & and assessed at Rs 69-4-0 as per particulars given in the Statement received with Serial 5 With reference to Temple land S. no. 10 of Jaraganahalli, the Dy. Commr was asked to report why the applt Surendrayachar's offer to pay himself the full assessment on this land

A

(cl L).

NOTE—Contn. sheet

GPB—70,000- 17 12-15

Serial No.

should not be accepted in preference to treating with the tenant, and whether there is any likelihood of securing much higher rent for the land if it is openly leased out for a defined period of years. The Dy. Commr has submitted further report (Sl. 4) soliciting orders on the leasing out of all the Temple lands.

Sl. 5 In paras 4 and 5 of his letter, the Dy. Commr recommends that Re-Survey no. 98 of Sajanur village may be leased out by public auction to the highest bidder for a period of 10 years.

In paras 6 and 7 of his letter, the Dy. Commr recommends that Re-Survey nos. 66 and 67 of Lakkakoppa may be leased out for 15 years to Sajanur Varadaiahiah.

Paras 8 and 10 of his letter deal with S. no. 10 of Taragonahalli about which further information was called for. The Dy. Commr seems to recommend that dry and wet lands comprising S. no. 10

NOTE—Contn. sheet

GPD—70.000—17-12-15

Serial No.

to the tenant
be leased out permanently on full assessment viz Rs 39-14-0 (Rs 9-9-0 being jodi and local cesses payable thereon) on condition of his repairing a tank in the S. no. at an estimated cost of Rs 200/-. The reasons for choosing the tenant (Hucha Hanuma) in preference to the appellant (Suruvayashar) are that the former is a Kadim tenant, that he has incurred some expenditure to improve the lands and that his intention to repair the tank is advantageous to the insty.

In his kyphiyat Dt 20 11 194, Hucha Hanuma states that the land has been in his enjoyment from the times of his brothers, that he is a Kadim Tenant on account of his long enjoyment and that he and his brothers have laid out amounts for the improvements of the land and that he is not prepared to take up the land for a jutta higher than the Survey assessment no documentary evidence to prove the period of

NOTE—Contn. sheet

GPD—70 000—17 12 15

Serial No.

alleged
long enjoyment and the amounts actually laid out on the land Deems to have been produced.

D

Attention is respectfully invited to Suryanarayanachar's Statement Dy 2d January 1915 He says that Jarugunahalli lands came through sale to his Grand-father some 86 years ago, that the inam patta No. 303 was delivered to his father in 1870 and another, in 1895 that the land has continued in his family for many years past that he was getting the lands cultivated and utilizing the benefits for Worship to the deity, that he has the right to conduct worship in the Temple, that he has appointed one Subbarao of Benkipura to do puja etc to them no pay has been given as yet. He prays that if all the lands are leased out to him permanently on full assessment, he will effect necessary improvements and repair the Tank etc to at a cost of Rs 2000.

Under cover of Serial 6, the Dy. Commr has submitted for sanction G'ment a

NOTE—Contn. sheet

GPP—70 000- 17 12 15

G. R. S. 12]

712 110

General and Revenue Secretariat.

File No. 209 of 1912

Serial No.

bill for Rs 58/ being the arrears of pay due to the Archaka at Rs 2/ per mensem. The Temple is reported to have a sum of Rs 204 14 4 at his credit by the Executive. It is reported that the Archaka was performing puja since February 1913.

The apltt appears through an Advocate and he may if so directed, be heard before orders are passed

Submitted
W (95)
24-1-1916

There are 2 points requiring orders in this case.

The first is about the leasing out of the temple lands — The Deputy Commr has given a detailed report making certain recommendations all these have to be sanctioned only after hearing the present petitioner Gurusayachar, the manager of the institution as his interests are involved in the matter

The second point is about the sanctioning of the bill for Rs 58 being the arrears of pay of the archik of the temple — May this be

NOTE—Contn. sheet

GPD—70 000—17 12 15

712 11

G R S 12]

General and Revenue Secretariat | File No. 209 of 1912.

Serial No

Sanctioned first and the case posted for admission?

ann
25/1/16

Let the case be posted for hearing with the next batch of cases and notice issued both to Zamindar and the Ryots. Also issue of notices, put up with a draft sanctioning the D.C.'s proposals as regards payment of the amount

D...

Submitted with 5 Ryots notices to the 3rd inst.

MC 95
18-2-16

ann
19-2-16

AHS
Dy
19/2/16

Subd 15 Nov members.

As regards the lands at Rajamun and Lakkavarapukota the proposals of the D.C. may be accepted.

Yes.

As regards the land at Varagantadi the D.C. recommends the leasing of the land at least for a term of years to the tenant Huchi Hanumia on Cer-

NOTE—Contn sheet.

detain

GPB—60,000—7 11 13

General and Revenue Secretariat. | File No. 209 of 1912

Serial No.

of his paying the assessment. It is advanced as a reason that he is a Kadim tenant. From his own statement it seems to me clear that his tenancy is not of the technically 'Kadim' kind as the land came into possession from the time of his brother and as he is willing to pay a higher rent after the repair of the tank. It will be an advantage if he is prepared to repair the tank on condition of enjoying the lease for a term of 10 years after which period the rent will be liable to be raised. In the petition of Gurunayakan dated 28.XII.1911 it is stated that the tenant was paying only a money rent of Rs 16 which is less than half the Survey assessment.

The tenant has no Kadim tenancy right. If Gurunayachar gives the same terms he may be given the land for 5 years at a time.

Issue orders accordingly

3/3/16

No detailed enquiry appears to have been held regarding the validity of the claim put forward by Gurunayakan to the Puja right of the temple. If the latter is established and if the tenant offers no better terms than Gurunayakan, it is a matter for consideration

NOTE—Contn sheet.

GPB—60,000—7-11 13

G. R. S. 12]

General and Revenue Secretariat. | File No. 204 of 191 2.

Serial No.

Whether preference should be given to ~~Gurukaras~~ the latter.

Sd
3. 3. 16

7 A petition from Hucha Hanumappa (D. X 1479) stating that he is an old man of 80 or 88 years, and praying that his non-attendance before Govt may be excused, and asking that his Kadim Tenancy right in the land may be confirmed, is put up.

Dft. orders sanctioning the Dy. Commrs. proposals for leasing out the temple lands, and also the arrears of pay to the Temple Archaks, are submitted.

MR 94
11. 3. 16. 13/3/16

4th Subd 5th Mr member
Sd
15. 3. 16

Draft Orders
The G.O.s as proposed by the 1st member

MS
08/3

Sd
14/3

B—Contn. sheet

GPB—73 003—17 12 15

1479

11

G. R. S. 12]

General and Revenue Secretariat.

File No. 209 of 1913.

Serial No.	
	Mr. The approved draft may also issue Sd 22.3.16
8	Mm: 2259-60 dy 24.3.16. to Dr of Shamga Exmpir Govt., Sanctions the bill dfd the Same to Exmpir for audit, the amt being paid from the Sum reported to be available at the credit of the Mistry
9	Mm 2261-62 dy 24.3.16, to Exmpir & Dr of Shamga, Passes orders in the case.

NOTE—Contn. sheet

(P) 70,000—17.12.15

7.9.12
Received by
the Addl. Secretary
VIII

7-9-12

Before the Government at Bangalore 441
DIARY No.....

Muzrai appeal no

19/2/19/
SECTION
FILE NO.
SERIAL NO.

Appellant -

Kudli Gurayachar

Appeal against the order of the Deputy Commissioner, Shimoga dated 21.6. refusing management of the under mentioned Inam lands for the reason that the Institution of Sri Mukhya Prana Devaru at Kudli, Soraba Taluk was not properly managed & that there was disrepair

(1) S no 9 of Taragunhalli village
(2) 86 of Gazanoor " Shimoga Taluk
(3) " 48 of Lakkenkoppa "

Grounds of appeal. -

(1) Appellant is the recognised Archaka of the above Institution from time immemorial. Though he was performing duties in other temples at the time of the original grant the learned Deputy Commissioner (on the baseless allegation of the ryot) resumed the inam lands on the belief that they are not properly managed.

The said order of the Deputy Commissioner is Ex parte. The appellant was never given an opportunity of meeting the allegations brought against him by the ryot.

The appellant is prepared to prove that the Institution is well managed.

2) The learned Deputy Commissioner observes that appellant is responsible for the temple being in disrepair. The temple requires to be rebuilt practically & the Govt. have now only the power of the Inam lands. The appellant has already addressed the authorities in the matter & hopes due attention to the maintenance of

16

Shemoga Dated 28.11.11.) & he offered to undertake the repair. But he was not kept in funds Under the circumstance, it is really a hardship to make him responsible for the disrepair in question

(3) The appellants' title to & his long & undisturbed Enjoyment of the Inam lands, qualify him to continue to be in their possession, apart from his capacity to manage them. The learned Deputy Commissioner has not taken this into Consideration while Vesting the ryots with possession of these lands on condition of them paying full assessment to Government The learned Deputy commissioner ought to have given preference to the appellant imposing the same condition on him

(4) If this Hon'ble court is to hold that there is mismanagement in fact, & the learned Dy. Comr's order is correct, the appellant prays that he is prepared to pay full assessment as long as the Govt deem it fit to have the management in their hands

(5) The appellant begs that this Hon'ble court may be pleased to direct an enquiry into the matter, & to deal with it according to Law & Equity

(6) The appellant further begs that the order appealed from may kindly be directed to be stayed pending disposal of this appeal

C. Krishna Rao

Advocate for appellant

7. Sep. 12

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಆದೇಶ
ಸಂಖ್ಯೆ ಕಂದಾಯ 27
ಬೆಂಗಳೂರು, ದಿನಾಂಕ 1-1-1912

ಓದಲಾಗಿದೆ:

ಆದೇಶ:

ಈ ಆದೇಶದ ಪ್ರಕಾರ ಕೆಲವು ಜಿಲ್ಲೆಗಳಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಂದಾಯ ಪದ್ಧತಿಯಲ್ಲಿ ಕೆಲವು ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡಲಾಗಿದೆ.

ಈ ಆದೇಶವು ಜನವರಿ 1, 1912 ರಿಂದ ಜಾರಿಗೆ ಬರುತ್ತದೆ.

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಆಜ್ಞೆಯಂತೆ,
ಕಂದಾಯ ಕಾರ್ಯದರ್ಶಿ

Sir,

I am writing to inform you that I will be absent from work on 21-6-12 due to a family emergency.

I apologize for any inconvenience this may cause.

Thank you for your understanding.

Sincerely,

26-6-12

Before the Govt H H the Maha Raja / Allahabad
Bangalore ಕೋರ್ಟಿಗೆ.

ಸಿವಿಲ್ ಇನ್ ನೇ ಇಸವಿ. ನಂಬರ್.

(ಅರ್ಜಿದಾರ) ವಾಧಿ. (ಎದ್ರರ್ಜಿದಾರ) ಪ್ರತಿವಾದಿ.

ಶಿವಮೊಗ್ಗದಲ್ಲಿರುವಮು|ರಾ| ರಾಣೆಬೆನ್ನೂರ್ ಬಾಲಕೃಷ್ಣರಾವ್ ಬಿ.ಎ ,ಎಲ್, ಎಲ್.ಬಿ.
ಅಡ್ವೋಕೇಟ್‌ರವರಿಗೆ.

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನಪರವಾಗಿ ತಾವು ಕೋರ್ಟ್‌ಗೆ ಹಾಜರಾಗಿ ಮೊಕದ್ದಮೆ ನಡೆಸುವದಕ್ಕೂ ಅ ಜ್ಞೆ ವಗೈರೆ ಕೊಬ್ಬು ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗೆ, ಡಿಕ್ರಿಜಾರೀಕ್ರಮ ನಡಿಸತಕ್ಕ ಬಗ್ಗೆ, ಆ ಸ್ಥಿತ್ಯವಜು ನಗೈರೆ ತೆಗೆಸುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೂ ಕೋರ್ಟ್‌ನಿಂದ ವಾಪಸು ಆಗತಕ್ಕ ದಾವಾ ಸ್ಟಾಂ ಪು ಪೊಸೆಸ್ ಸ್ಟಾಂಪು ಮತ್ತು ದಿಕ್ಕಿಹಣ ಸಾಕ್ಷಿಭತ್ತೆ ಇತ್ಯಾದಿ ಇತರ ವಿಧವಾದ ಎಲ್ಲಾ ಜೊಬಲಗು ತೆಗೆ ಮ ಕೊಳ್ಳುವದಕ್ಕೂ ಸದರಿ ತಮಗೆ ಅಧಿಕಾರಕೊಟ್ಟಿದ್ದೇನೆ. ಅದ್ದರಿಂದ ಈ ಭಾಗದಲ್ಲಿ ತಾನೇ ಆಗಲಿ ತಮ್ಮ ಗುಮಾಸ್ತರ ಇತ್ಯಾದಿ ಯಾರಮುಲೇ ಆಗಲಿ ನನಗೆ ಖರ್ಚಿನ ಕೆಲಸಕ್ಕೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸ ಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ದನಾಗಿರುತ್ತೇನೆ.

ತಾರೀಖು ೨೨ ನೇ
ಡಿಸೆಂ ೨ ನೇ ಇಸವಿ } ರುಜು.

ಅಂಗೀಕರಿಸಿರುತ್ತೇನೆ.

Adrocate

Counsel for

received
C Krishna Rao
advocate
Petitioner

ಈ ನೊಟ್ರಿಯಲ್ ವಕಾಲತ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರು, ಸದ್ಧ ಸಮಕ್ಷದಲ್ಲಿ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ.

ಜುಡಿಷಿಯಲ್ ಸ್ಟಾಂಪಿಂಗ್ ಪ್ರೆಸ್ ಶಿವಮೊಗ್ಗ ೧೯೩೫

Dmisc 209-12-2 18

GOVT. OF H. H THE MAHARAJA
OF MYSORE 20

GEN & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

No

The accompanying Petition Registered
No. 441 dated 7.9.1912
received at the General and Revenue
Secretariat from Kudli Gurunaja
-char appealing against the Dy Comm's order directing the resumption of the Inam lands endowed to Sri Mukhya Prana Devaru Temple at Kudli in the Shimoga Taluk

one
is forwarded, together with its enclosure
to the Dy. Commr
Shimoga. Distt
..... for report
with records on the points raised in the petition,

By Order
W.D. Le C.
Secretary.

BANGALORE,
2/10/12
..... .191

P. T. O.

GPB—1,000—18-2-12

2565

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No 1352 Dt 5/4/13
mm 209-12-2

With reference to his petition regd no 461 Dt 7th Septr 1912 appealing against the Shimoga Dy Commrs order directing the resumption of the Inam lands endowed to Sri Mukhya Prana Devaru Temple at Kudli in the Shimoga Tq, Mr C. Krishna Rao Advocate for the apltr. Gurunagachar is informed that a report with records has been called for from the Dy. Commr, Shimoga Dt

By order
Sd/- illegible
2.4.13
Sd/- illegible Secretary.
2/10/13

DIARY No. 773
13 14
GENL Inw 2
PL. No. 20972
No. 3

VII

1913 14

From 19/10 The Deputy Commissioner
Shimoga

To The Secretary,
to the Government of Mysore
Mowzrai Department
Bangalore

Dated

Despatched 17th October 1913

Received

General No. 191
Inw No. 31.

Enclosure No. 3 & 1 file

Submitting the report as called for in no: 1351 - Mowzai 209-12-2 dated 5th April 1913 with the connected records, regarding the taking over charge of certain Inam lands under Government management, endowed to Mukhyaprana Swami at Kudli, in Shimoga Taluk

GPB—50,000—26-9 12

No 191- Inwz 31.

Encls. 3 + one file

22

Office of the Deputy Commissioner,
Shimoga District,
Dated Shimoga 16th October 1913

From,

K. Malhar Esquire BA.
Ag Deputy Commissioner,
Shimoga District

To,

K. R. Srinivasa Iyengar Esquire M.A
Secretary to the Government
of Mysore, General and Revenue
Departments, Bangalore.

Sir,

With reference to your memorandum No: 1351- Inwz 209-12-2 dated 5th April 1913 calling for a report on the petition of Kudli Gunnayachar appealing against this Office order directing the assumption of the management by Government agency of the Inam lands endowed to Sri Mukhya-devaru temple at Kudli in the Shimoga

I have the honor to state as

2. The temple is endowed with the Inam lands in the villages of Jaraganahalli, Lakkenkoppa and Gajanur, of a total extent of 42 acres assessed at Rs 65/- and subject to the payment of a quit-rent of Rs 21-15-0, as detailed on the margin.

Village	Survey No	Area A	Area G	assessment	Jodi	Remarks
Jaraganahalli	9	13	34	98-		Dry
	9	9	12	238-		Wet
		23	6	33	5 11 .	
Lakkenkoppa	48	6	2	14.		Dry
		3	33	11 12		Wet
		9	35	13	10 . .	
Gajanur	86	8	39	19	64-	Wet
		42	.	65 .	21 15 .	

These lands were in the possession and enjoyment of (1) the appellant, (2) Kesava Sastri and (3) Srinivasachar respectively, of whom the first and the last reside at Shimoga, and the second at Somapura in the Tarikere Taluk. The Inam land of Jaraganahalli Village appears to have been intended for the archak Service, that of Lakkenkoppa for the Mantrapushpa upasthi, and that of Gajanur for special service on the Hanumanjayanthi day, though these details are not furnished in the quitrent Register.

3. It will be seen that none of the Servants of the temple who were in possession of the Inam lands actually resided at Kudli and performed the Services themselves. Every one of them merely represented that he got his duties performed

by

by proxy. The Inam land in 4 panas was actually sold by Rangachar the son of Srinivasachar referred to above to one Srinivasa Rao, a clerk in the Sagar Sub Division Assistant Commissioner's office

4. A petition dated 26th March 1897 was received from the residents of Kudle alleging that the temple had fallen down and that the services in it had ceased for a long time and praying that it might be taken over under Government management. The Shanbhog of Kudli who was asked to report on the matter reported on 4th April 1897 that Narayanachar the appellants' father who was in possession of the Jaragamahalli land paid Rs 4/- per annum to one Krishtachar of Kudli for the performance of the daily puja and that the temple was in disrepair. A Notice was thereupon issued on 12th April 1897 to Narayanachar to repair the building within a fortnight and that on his failure to do so, the Inam land in his possession would be resumed. This notice was served on him on 21st April 1897. In his state-

before the Amildar on 28th May 1897,

Narayanachar said that he derived an income of only Rs 11/- from the land in his possession, and that after defraying the Government dues and the salary of the officiating archak, there was scarcely anything left for the repairs of the temple and he requested that the income of the Inam lands of the temple in the remaining two villages might be given to him to effect the necessary repairs.

5. No further action was taken in the matter in the Taluk Office until 1905. Notices were issued on 26th March 1905 and were duly served on all the three persons asking them to explain why they failed to perform their respective services in the temple, and an order was issued to the Sheikdar of Holalur Hobli on 16th April 1906 stating that during the Amildars inspection of the temple on 15th December 1905 the temple was found to be in disrepair, without even a door, and with rank vegetation grown in front of it, and without any services being performed in it and directing him to submit the explanations of the temple servants in

in the matter and to warn them that the Inam lands would be liable to resumption if this state of affairs should continue. It was ascertained on 14th October 1906 from Srinivasachar Son of Krishnachar that the Hanumanjayanthi upashi Service had not been performed in 1905 and 1906.

The appellant represented on 8th February 1907 to the Sheikdar in the same terms as his father had done stating that as the income of the land in his enjoyment was only Rs 16/- he could do nothing to repair the building. Lakeshmanrao, the father of Srinivasrao prayed in his statement of 28th February 1908 before the Amildar that the Inam land in Gajanur Village which was acquired in 1907-08 by his Son might be allowed to be in his possession and he promised to pay the full assessment and local cess

6. Kesava Sastri wrote a petition on 1st April 1909 to the Amildar stating that he got the Services to be done by him performed by one Srinivasabhatta and praying that the crops on the inam land of Lakkenkoppa might be allowed to be taken by him. The Amildar directed the Shekdar of Kasaba Hobli in his order of 2nd February 1911 to collect the rent due from this land from the cultivators and credit the same to the Treasury.

7. The appellant presented a petition on 28th November 1911 to the amildar that as the cultivator of the Jaraganahatti inam land paid him only Rs 16 per annum, either the land might be given to his possession or the difference between this amount and the assessment on the land might be collected from the cultivator and given to him as well as the produce on the main lands of the temple in Gajanur and Lakkenkoppa villages to enable to effect necessary repairs. In the course of enquiry that ensued on this petition it was elicited that

the cultivator of this land, Hucha Hamma was also the cultivator of the adjacent personal Inam lands of the appellant in Hukkuli Village, and that as the Sanadichit did not specify the rent payable on these lands separately the contention of the appellant that the rent derived was only ~~only~~ Rs 16/- could not be believed. A Muchalika was also executed by Hucha Hamma on 6th February 1912 binding himself to pay the full assessment and local cess due on the land every year to Government regularly infuture.

8. A petition was submitted by Hucha Hamma on 6th April 1912 to the Inamdar Superintendent alleging that a notice had been issued to him from the Taluk Office to pay the arrears of rent for previous years, at Rs 36-8-6 per annum to save the appellant from the responsibility of repairing the temple, and praying that this order might be.

R

This petition having been for disposal with the Inamdar

Superintendents letter no. 1058 dated 19th April 1912, the connected records were called for and were received with the Shimoga Sub Divisional Officer's yadi no 935 dated 25th May 1912.

9. On a perusal of the records the Deputy Commissioner Mr K. Srinivasa Rao ordered on 21st June 1912 that as the income of the Inam lands did not appear to have been utilised for the benefit of the temple they should be taken over under Government management, and that arrangements should be made to lease out the Inam lands on full assessment for a period of ten years the land of Taraguhalli being given to Thucha Hamma as per muchalika already executed by him, as it was mainly a dry land and that as the archak and Vahivatdar had not taken any steps to keep the building in good repair, a proposals for taking the institution under Government management and for its repairs might be submitted.

21

It was also ordered that there were no grounds to hold the cultivator responsible for the rent of previous years.

10. The petition under report and the connected Vernacular papers accompany for reference.

I have the honor to be
Sir,
Your most obedient Servant
[illegible]
Treasury Assistant Commissioner
for Offg. Deputy Commissioner
Shimoga District
Absent from Head quarters.

√

Calls for further information re the case of the inam lands endowed to Sri Mukhya Prana temple at Kudli, Shimoga Taluk.

G. R. S. 26] 615

File No. 209/12

Serial No. 4

31

No. 3:01 Cus, Blo

Diary No. of letter replied to 773

General and Revenue Secretariat

( )

, the *191*

To

The Dy Commissioner,

Shimoga Distt.

Sir

Adverting to your letter no. 191/31 dt 14th October 1913 reporting on the petition of Gururajachar appealing against the Dy. Commr's. order directing the resumption of the inam lands endowed to Sri Mukhya Prana Devaru temple at Kudli in the Shimoga taluk, I have the honor to state that at para 4-

over.

Date of issue 13th May 1914

Signed by W. G. Aravamudan

SUBJECT

of the Appeal petition No 441, ×
the appellant offers to pay the
full assessment to Govt.
if the landlord is kept in his possession,
And to request to be informed
~~as to~~ why this offer should
not be accepted ~~instead of~~ in preparation for
~~making terms~~ treating with the Tenant.
I am also to
~~The Dy. Commr is also requested you~~
be informed whether
~~to report if~~ there is any
likelihood of securing much
higher rent for the land
if it is openly leased out
for a defined period of -
years.
2) The records are herewith
returned for ref. and
re-submission.

× (Forwarded in orgl for ref)

I have &c
~~By order,~~
Sd
S S

~~Asst~~ Asst Secy for Chief Secretary.
21/5/14

List of enclosures.

Copied by KR 11/5

Examined by

GPB—25,000—8 8 11.

1905-16.

From

The Deputy Commissioner,

Shimoga District.

To

The Secretary to the Government of Mysore,
Revenue Department,
Bangalore.

Dated 2nd October 1915.

Despatched

Received

General No.
No

Enclosure No.

Adverting to his letter No.3201 Muz.209-12-4 dated the 13th May 1914 reports re the petition of Gururayachar appealing from this office order directing the assumption of the inam lands endowed to the Mukhya Prana Devaru temple at Kudli in the Shimoga taluk.

DIARY No. 5116
FILE No. 209-12
SERIAL No. 5

GPB—75 reams—25-5 10

No. 156 Muz
Hsfile

Office of the Deputy Commissioner,
Shimoga District,
Dated Shimoga 2nd October 1915.

From

K. Matthan, Esquire., B.A.,
Deputy Commissioner,
Shimoga District.

To

V.R. Thyagaraja Iyer, Esquire., M.A.,
Secretary to the Government of Mysore,
Revenue Department,
Bangalore.

Sir,

Adverting to your letter No.3201 Muz.209-12-4 dated the 13th May 1914 calling for certain further information on the petition of Gururavachar appealing from this office order directing the assumption of the inam lands endowed to the Mukhya Prana Devaru temple at Kudli in the Shimoga taluk, I have the honor to state as follows:-

2. The management of the temple was in the hands of private individuals prior to the issue of this office order now appealed against. As it was proved that there had been gross and persistent mismanagement of the institution and the property pertaining thereto, my predecessor Mr.K.Sreenivasa Rao ordered on 21st June 1912 that the institution should be taken under the management of Government officers.

3. The temple in question is endowed with four survey numbers consisting of dry and wet lands in three different villages, namely, Gajnur, Lakkenakoppa and Taraganahalli in the Shimoga taluk.

4. The inam land, re-survey No.98 of the Gajnur village is a wet land measuring 8 acres and 39 guntas and assessed at Rs 19/-. The amount of jodi payable thereon is Rs 6-4-0. Before this land was ordered to be leased out on condition of paying the full assessment thereon, the cultivator used to pay only Rs 8-0-0 as 'Migate'. In the course of the enquiry conducted by the Taluk Amildar, it was ascertained that one Gajnur Narasimhayya is willing to take up the land on condition of paying an amount of Rs 60/-. Tirumala Rao who is in possession of the right has expressed his willingness to offer more than Rs 60/- as his ~~result~~ of the right of cultivation thereof is put to auction.

The villagers also have stated that they would offer more than Rs 60/- (vide ferists Nos.40 and 41).

5. It is seen from the records that the villagers have agreed to take up this land for cultivation if they are given a chance of competing in public auction. The Amildar recommends that the right of cultivation of this land may be put up for sale. In these circumstances and in view of the fact that there is a keen competition for this land, I am of opinion that it may be leased out by public auction to the highest bidder for a fixed period of ten years.

6. The inam lands endowed to this temple in the Lakkenakoppa village have a total extent of 9 acres and 33 guntas assessed at Rs 14-4-0, the jodi amount being Rs 10-3-0 as detailed on the margin. On enquiry the present cultivator of these lands has pleaded his inability to pay a higher rent than the full assessment of Rs 14-4-0.

Extent. A.	G.	Assessment.	Jodi.
5	38	Rs 1-4-0	10-3-0.
3	38	13-0-0	

One Bhadrappa, patel of the village has agreed to take up these lands for an annual rental of Rs 18/-. The other ryots of the village evince no desire to take up these lands for even the full assessment. Whereas Gajanur Narasimhayya has stated before the Taluk Sheristedar on 21st September 1915 that he would pay an annual rental of Rs 30/- if the lands be leased out for a period of 30 years. The Amildar recommends this offer.

7. In these circumstances and in the absence of a better offer I have the honor to recommend that these lands may be let out to the last mentioned applicant as the major portion is dry land on an annual rental of Rs 30/- for a period of 15 years as it is inexpedient to grant a thirty year lease.

8. The land re-survey No.10 of Taraganahalli village consisting of dry and wet lands, measures 22 acres and 35 guntas and is assessed at Rs 36/- the jodi payable thereon being Rs 5-11-0

as detailed on the margin. In the local enquiry conducted by the

Re.S.No.	Class of kind.	Extent. A. G.	Assessment.
10	Dry.	13 - 23	Rs 10-0-0
	Wet.	9 - 12	Rs 26-0-0

Amildar it is elicited that these lands have been in the possession and enjoyment of one Hucha-Hanumapp and that he is the Kadim tenant of the land. He has stated before the Amildar on 20th November 1914 that he was also the cultivator of the adjacent personal inam lands of the appellant in Chik-Kudli village, that he was paying the 'guttas' or rents for all these lands and that, after Gururayachar was dispossessed of the vahivat of this temple he has been regularly paying to Government the stipulated rent on the temple lands. Further he states that the lands may be permanently leased out to him on condition of paying the full assessment and local cesses thereon and of effecting necessary repairs at his own cost to the tank situated in these survey numbers. The Amildar who inspected the tank and the inam lands reports that owing to the breach of this tank the supply of water to the wet lands has been cut off and recommends that permission prayed for may be granted under the above terms as they are advantageous to the institution.

9. It is also reported that no other ryots are willing to take up the land in accordance with the terms specified in the above para. On the other hand, Hutcha-Hanumappa himself offers to pay a little higher rent for these lands if the tank is put in order. The cost of repairing the tank is estimated to come up to Rs 200/-. But at present as the temple has only a sum of Rs 204-14-4 at its credit which is required to meet the expenses of the Nityakatle and other services in the temple and of urgent repairs thereto, this work cannot be undertaken by Government.

10. In the foregoing circumstances and in view of the facts that Sanna Hanumappa is the kadim tenant, that he has already incurred some expenditure to improve the lands and that his ~~xxxxxxxxx~~ intention of undertaking to effect necessary repairs to the tank is very advantageous to the temple, I am of opinion that he deserves preference to the appellant who was merely the manager of the affairs of the temple and as such was receiving the 'migate

of this land from Sanna ~~Honnappa~~ Honnamma. I may also add that it would be hard on the latter, if he ~~would~~ were to be dispossessed of these lands.

11. Thus the proposed arrangements will result in a saving to the institution of Rs 99-12-9 if not something more. If on the other hand all the lands are given to the appellant for the full assessment, namely, Rs 69-4-0 there will be a net income of only Rs 39-2-9 after defraying the jodi and the local cesses. A comparative statement showing the present and probable income and savings of the institution is herein enclosed for reference.

12. In connection with this, I may be permitted to state that ever since the possession of the inam lands was actually taken up by Government, the income of these lands is being credited to the muzrai funds of the institution; but no payments are made out of this amount till now. The archak who has all along been performing puja services in the temple, complained to me during November last that he had not received his remuneration since since February 1913 when he was appointed as Archak. The matter was duly enquired into and a monthly salary of Rs 2/- was sanctioned by me on 9th July 1915 under section 9 of the Mysore Muzrai Regulation. The Comptroller has been requested to issue necessary instructions to the Treasury Department authorising the payment of Rs 2/- per mensem on account of Archak's pay in this temple.

13. The file of vernacular papers relating to the subject and the appeal petition are herewith resubmitted for reference and obliging return.

I have the honor to be,

Sir,

Your most obedient servant,

Treasury Assistant Commissioner,

For Deputy Commissioner, Shimoga District.

(Absent from Head - Quarters.)

C.N.R.

DIARY No. 712

1915 16
FILE No. 209-12
SERIAL No. 6

1915-16.

From

The Deputy Commissioner,
Shimoga District.

To

The Secretary to the Government
of Mysore,
Revenue Department,
Bangalore.

Dated 27th October 1915.

Despatched

Received

General No. 177

Treasury No.

Enclosure No. two

Adverting to para 12 of this office letter No.156 Muz27 dated 2/5th October 1915 requests that the bill submitted may be kindly sanctioned and forwarded to the Comptroller for audit.

GPB—75 reams—25 5 10

No. 177 Muz.29

Ex 2

37

Office of the Deputy Commissioner,
Shimoga District,
Dated Shimoga 27th October 1915.

29u

From

K. Matthan, Esquire., B.A.,
Deputy Commissioner,
Shimoga District.

To

V.R. Thyagaraja Iyer, Esquire., M.A.,
Secretary to the Government of Mysore,
Revenue Department, (Muzrai)
Bangalore.

Sir,

Adverting to para 12 of my letter No.156 Muz.27 dated 2/5th October 1915, in the matter of sanctioning a monthly salary of Rs 2/- to the Archak of Mukhya Pranadevaru temple at Kudli in the Shimoga Taluk from the date of his entertainment as archak, I have the honor to forward herewith for the information of Government a copy of Comptroller's docket No.3057 Muz.302 dated 19/22nd October 1915 returning unaudited the bill for Rs 58/- being the arrears of pay due to the archak at Rs 2/- per mensem for want of Government sanction as the allowances claimed therein relate to a period more than a year old and requesting this office to intimate if any orders of Government have been received regarding the action taken by the Deputy Commissioner and the appeal made by Gururayachar and to request that the bill herewith submitted may be kindly sanctioned and forwarded to the Comptroller for audit as the archak has been repeatedly urging for payment.

I have the honor to be,
Sir,
Your most obedient servant,

Matthan

Deputy Commissioner,
Shimoga District.

C.N.R.

DIARY No 1479

15-16

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2 Dft-5

Sanctions the bill for the arrears of pay due to the Archak of Sri Mukhya Prana Devaru Temple at Kudli, Shimoga Taluk

G.R.S. 28.]

File No. 209
Serial No. 12
8
10

Diary No. of letter replied to 712

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

READ—

, *the* 191

Letter no. 177/29 dated 29th October 1915 from the Deputy Commissioner, Shimoga Distt., Submitting for Sanction a bill for Rs 58/ on account of the arrears of pay due from February 1913 to 1st July 1915 to the Archak of Sri Mukhya Pranadevaru over

Date of issue 24.3.1916.

Signed by M R Ramanandam for

ORDER THEREON. No.

SUBJECT.

GPB—50,000—1-12-19

Rs 2/2/13.

Temple at Kudli in the
Shimoga Taluk.

Order thereon — No 2259-60 Emt 1+1 Dy
Dis 209-12-0

24.3.916

The bill for Rs 58/-
is sanctioned, and forwarded
to the Comptr for audit,
the amount being paid from
a sum of Rs 204-14-4
reported to be available
at the credit of the institu-

he
14.3.16

Sd/ ann for Rec-Secretary.
To,
13/3/16
The Comptr with the bill,
11 Dy. Commrs, Shimoga Dist.

2/13

2 Of 5

I Passing orders on the appeal petition of Kudli Gururayachar about the case of the inam land endowed to Sri Mukhya Prana Devaru Temple at Kudli, Shimoga Taluk

G.R.S. 28]

File No. 209

Serial No. 6 912 4 L

Diary No. of letter replied to 616

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

READ—

, the 191 .

Petition registered no 6419 of 1st September 1912 from Kudli Gururayachar appealing against the Dy Commissioners order

Date of issue 24.3.1916.

Signed by

~~ORDER THEREON~~ No

directing the assumption of the management of Sri Mukhya Prana Devaru Temple at Kudli in the Shimoga Taluk.

over

SUBJECT.

GPB—50,000—1-12-12

8/2/13

Correspondence ending with
letter no 156/27 Dy 5th October 1915
from the Dy. Commissioner,
Shimoga Distt, reporting on
the above.

Order Thereon — No 2264-69. Encl 1 Dy
No 209-12 9

The Temple of Sri Mukhya 24.3.1916.
Prana Devaru at Kudli, Shimoga
Taluk, is endowed with inam
lands in Gajanur, Lakkena-
koppa and Jaraganahalli Villages,
measuring 41-27 a & and assessed
at Rs 69-4-0. As the income
from the lands was not
being properly utilized -
and as the Temple building
was in disrepair, the Dy.
Commr directed that the
institution and its endow-
ments should be taken
Govt management.
ainst this order, Survarayachar
to Govt.
appellant through his

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Advocate Mr. C. Krishnadas was heard on 3rd March 16.

(3) The appellant contends that there is no reason for the assumption of management by Govt., that the endowment lands may be left in his possession on his paying the assessment and that in any case, his possession S. no. 10 of Jaraganahalli Village should not be disturbed.

(4) Admittedly the Lands in Gajanur and Lakkenakoppa Villages were in the possession and enjoyment of Strangers and the Temple building is in disrepair. Under the circumstances, the action of the Dy. Commissioner in assuming management of the institution was correct

and the Jury are not
prepared to interfere therein.
(5) Regarding the prayer
of the appellant to be
placed in possession of
all the endowment lands
on condition of his paying
the assessment to the Temple,
it is seen from the Dy.
Comms. report that there
are more advantageous
offers as regards the
lands at Sajanur and
Lakkanakoppa and as
apparently the appellant
was never in possession
of them, there is no reason
why the Temple should be
deprived of the advantage.
Dy. Comms. proposal
The leasing right
of Sajanur
lease out

GPB—20,000—16-2-14

G. O. No. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

4/6

S. Nos 66 and 67 of Lakkenakoppa to Sajanur Narasimhaiya for 15 years on a rental of Rs 30/- per annum is approved.

6 As regards S. No. 10 of Yaraganahalli Village, there are no satisfactory grounds to conclude that Kucha Hanuma is a Kadim Tenant as represented by him and that he would on that score be preferred to the appellant who was in possession until recently. If Puttarayashar is / to offer the same terms as Kucha Hanuma, the land may be leased to him for ~~three~~ the period of 5 years.

18/3/16

Fair Draft

15.3.16

for Revt Secretary.

To the Dy. Commr, Shimoga Dist

15/3/16.

retng. the records.

11 Compts, mysore Surv

GPB—20,000—16-2-14